

EXHIBIT 9

Declaration of Bruce E. Koenig

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TERMAINE HICKS,

Plaintiff,

v.

CITY OF PHILADELPHIA, and MARTIN
VINSON, ROBERT ELLIS, DENNIS
ZUNGOLO, ARTHUR CAMPBELL, MARK
WEBB, MARY BRIDGET SMITH, as personal
representative of the ESTATE OF BRIAN
SMITH, deceased, MICHAEL YOUSE, FRANK
HOLMES, DOUGLAS VOGELMAN, KEVIN
HODGES, and DUANE WATSON, in their
individual capacities,

Defendants.

Civil Action No. 2:22-cv-00977 (JFM)

DECLARATION OF BRUCE E. KOENIG

I, Bruce E. Koenig, declare as follows:

1. I am a private consultant and the founder of BEK TEK LLC, a consulting company that offers scientific expertise in audio, video, and image forensic analysis. I was previously employed as a special agent for the Federal Bureau of Investigation (FBI) for 25 years. I also served as a forensic scientist for the FBI conducting examinations of audio and video recordings for another eight years after my retirement as an agent.

2. My company BEK TEK LLC was retained by Plaintiff's counsel in the above-captioned matter to provide forensic audio expertise.

3. On September 23, 2024, I was present in the area of South 15th and Mifflin St. to conduct an audio experiment.

4. I have been asked to provide a declaration describing my conversations with local citizens during the testing including whether I told anyone the scream test was in any way authorized by the Court.

5. During the experiment, I did not have conversations with or make any statements to any local citizens.

6. I recall a man coming over with a baseball bat, and a woman yelling at me. I did not engage with either of these individuals or say anything to them.

7. I never said to anyone that the court or a judge authorized this experiment. I am not familiar with the name of the judge presiding over the case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 25th day of September, 2024, in Palm Harbor, Florida

A handwritten signature in black ink, reading "Bruce E. Koenig". The signature is written in a cursive style with a horizontal line underneath it.

Bruce E. Koenig